



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

KMT/NMA
F. #2020R00304

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 23, 2022

By ECF and Email

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Re: United States v. Darrius Sutton, et al
Criminal Docket No. 20-CR-323 (S-2) (AMD)

Dear Counsel:

Enclosed please find additional discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure.¹ The discovery disclosed herein supplements the government's previous production on May 5, 2022. The government renews its request for reciprocal discovery from the defendants.

¹ As with the previous production, the discovery described in this letter is available for order from DupeCoop. Counsel of record for each defendant can order a copy of a drive containing these exhibits by contacting DupeCoop at dupecoop@mac.com.

Discovery Ex. No.	Bates Range	Description	Designation²
099A	N/A	Videos related to Feb. 16, 2014 shooting	
099B	BR 5533-5543	Still images related to Feb. 16, 2014 shooting	
100	BR 5544-5545	Laboratory reports related to ballistic evidence recovered at scene of Feb. 16, 2014 shooting	
101	BR 5546-5557	Crime scene photographs from scene of Feb. 16, 2014 shooting	
102	BR 5558-5989	Medical records	SENSITIVE – ATTORNEY’S EYES ONLY
103	N/A	Video and audio files related to Oct. 16, 2014 shooting	
104	N/A	Video of shots fired on Nov. 23, 2016	
105	N/A	Jail calls	
106	BR 5990-6002	Search warrant for firearm and associated documents and images	
107A	BR 6003-6004	Laboratory reports concerning ballistics recovered at scene of shooting (Ex 104)	
107B	BR 6005-6007	Laboratory report finding that ballistics from Ex 104 were fired from firearm in Ex 106	
108	BR 6008	Laboratory report concerning seized firearm (Ex 106)	

² This column indicates whether the discovery exhibit has been identified as “SENSITIVE” or “SENSITIVE – ATTORNEYS’ EYES ONLY” in accordance with the protective order entered by the Court on October 26, 2020.

109	BR 6009-6014	Image of list of phone numbers recovered from New York State inmate	SENSITIVE – ATTORNEY’S EYES ONLY
110	BR 6015-6019	DMV records	SENSITIVE – ATTORNEY’S EYES ONLY
111	BR 6020-6166	Medical records of victim of Nov. 23, 2016 shooting #1	SENSITIVE – ATTORNEY’S EYES ONLY
112	BR 6167-6171	Laboratory reports related to ballistic evidence recovered from shooting involving victim identified in Ex. 111	
113	N/A	911 calls related to shooting of victim identified in Ex. 111	SENSITIVE – ATTORNEY’S EYES ONLY
114	N/A	Surveillance video related to shooting of victim identified in in Ex. 111	
115	BR 6172-6331	Medical records of victim of Nov. 23, 2016 shooting #2	SENSITIVE – ATTORNEY’S EYES ONLY
116	BR 6332	Laboratory report concerning ballistic evidence related to shooting of victim identified in Ex. 115	
117	BR 6333-6348	Images of vehicle used in connection with shooting of victim identified in Ex. 115	
118	BR 6349-6352	Still images from surveillance video of August 11, 2019 shooting	
119	BR 6353-6358	Information related to the Aug 11, 2019 shooting	
120	BR 6359-6386	Crime scene photographs from August 11, 2019 shooting	

121	BR 6387-6407	Crime scene photographs from April 20, 2020 shooting	
122	N/A	911 calls related to April 20, 2020 shooting	SENSITIVE – ATTORNEY’S EYES ONLY
123	N/A	Additional surveillance video relating to May 16, 2020 shooting	
124	N/A	Body worn camera footage related to May 16, 2020 shooting	SENSITIVE – ATTORNEY’S EYES ONLY
125	BR 6408-6430	Crime scene photographs from May 16, 2020 shooting	
126	N/A	ShotSpotter recording from May 16, 2020 shooting	
127	BR 6431-6432	Documents related to ShotSpotter recording from May 16, 2020 shooting	
128	BR 6433-6437	Still images from surveillance video of May 16, 2020 shooting	
129	N/A	Videos of July 14, 2020 shooting	
130	BR 6438-6453	Search warrant for Red Honda	
131	BR 6454-6474	Latent print report from Red Honda	
132	BR 6475-7506	Documents received from Capital One Bank	SENSITIVE – ATTORNEY’S EYES ONLY
133	BR 7507-7628	Documents received from Sterling Bank	SENSITIVE – ATTORNEY’S EYES ONLY
134	N/A	Text exchange from cellphone disclosed as Ex 26	SENSITIVE – ATTORNEY’S EYES ONLY

135	BR 7629-7752	Search warrant for cellular phone	SENSITIVE
136	N/A	Information obtained pursuant to search warrant disclosed as Ex. 135	SENSITIVE – ATTORNEY’S EYES ONLY
137	BR 7753-7881	Search warrant for cellular telephone	SENSITIVE
138	N/A	Information obtained pursuant to search warrant disclosed as Ex. 137	SENSITIVE – ATTORNEY’S EYES ONLY
139	BR 7882-7936	Search warrant	
140	BR 7937-7948	Photographs related to search authorized by search warrant disclosed as Ex. 139	
141	BR 7949-8045	Search warrant	
142	BR 8046-8047	Photographs related to search authorized by search warrant disclosed as Ex. 141	
143	BR 8048-8133	Search warrant executed at time of defendant Ronnie Warren’s arrest	SENSITIVE
144	BR 8134-8140	Photographs of items seized at time of Andrew Simpson's arrest	
145	N/A	Video recording of defendant's post-arrest interview	SENSITIVE – ATTORNEY’S EYES ONLY
146	N/A	Video recording of defendant's post-arrest interview 2	SENSITIVE – ATTORNEY’S EYES ONLY
147	N/A	Video recording of defendant's post-arrest interview 3	SENSITIVE – ATTORNEY’S EYES ONLY
148	BR 8141-8158	GPS warrant related to Darrius Sutton	
149	BR 8159-8240	Triggerfish warrant related to Darrius Sutton	

150	BR 8241-8273	GPS warrant related to Corey Williams	
151	BR 8274-8322	GPS warrant related to Ronnie Warren	

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion.

In addition to the expert-related notifications provided in the government's previous letter, the government also anticipates calling one or more experts at trial to testify concerning the opinions rendered in Discovery Exhibits 100, 107A, 107B, 108, 112, 116 and 131, above. The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Very truly yours,

BREON PEACE
United States Attorney

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Enclosures

cc: Clerk of the Court (AMD) (by ECF) (without enclosures)